

# SDMS US EPA Region V

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IN THE UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS

UNITED STATES OF AMERICA,	)	
	)	
Plaintiff,	)	
	)	
vs.	)	
	)	
NL INDUSTRIES, INC., ET AL	)	Civil Action
	)	No. 91-CV-00578-JLF
Defendants,	)	
	)	
and CITY OF GRANITE CITY,	)	
ILLINOIS, et al	)	
	)	
Defendants/Intervenors	)	

**AFFIDAVIT**

I, William Baudendistel, being duly sworn, depose and state as follows:

1. Affiant is a Vice President of Juneau Associates, Inc. P. C., which firm is the contract engineer for the City of Granite City, and has held said position since 1992. In the firm's capacity as City Engineer, Affiant advises the City Council and City officials on all engineering matters referred to him, makes reports regarding public improvements, repairs of streets, bridges and sidewalks and, from time to time, is responsible for the design, construction, reconstruction, and repair of municipal sewers and structures, including the grading and improvement of streets, alleys, highways, and sidewalk spaces.

2. In the aforementioned capacity, Affiant has been directly involved in the City of Granite City's efforts to improve 16th Street. The construction includes a 30 foot face-to-face curb concrete pavement with a closed storm sewer system from Madison Avenue to Niedringhaus Avenue. The total cost of the project is

estimated to be approximately \$1.5 million. Funding for the project is to come from a grant of approximately \$770,000 from the Illinois Department of Transportation which is to be matched by Madison County and City of Granite City funds. The State fund will pay for nearly 1/2 of the construction costs, and County funds will pay for nearly 1/4 of said costs.

3. The 16th Street corridor is a vital, economic link for Granite City Steel, a Division of National Steel Corporation. Granite City Steel has modified the entrance/exit from its south plant so as to expedite truck traffic carrying galvanized steel from Madison Avenue to 16th Street, to Niedringhaus Avenue, and then to the interstate or to the railroad yard or barge terminal for distribution. Granite City Steel is the largest employer in Granite City and its existence and prosperity is critical to the City's economic viability.


4. A recent environmental sampling of soils from locations along the 16th Street alignment performed by SCI Engineering Inc., identified a number of samples below and greater than 500 ppm for total lead. The environmental engineering analysis provided by SCI Engineering Inc. to the City surmises that because the project site is considered to be a portion of the NL Superfund site which dictates excavation to a 500 ppm standard, that health and safety procedures as outlined in 29 CFR 1910.120 for hazardous waste sites must be followed. It is concluded that excavation of and along certain portions of 16th Street may result in special or hazardous waste, which will cause health and safety procedures to be implemented during construction due to the concentrations of

total lead, and result in the special or hazardous waste being hauled to an appropriate landfill.

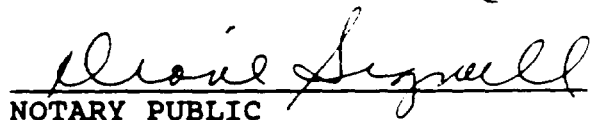
5. Based on the foregoing, construction estimates for the 16th Street project have been significantly increased, and it has been preliminary determined the additional construction and project costs due to the City having to abide by the 500 ppm standard, will range from \$400,000 to \$1.5 million.

6. The City of Granite City does not have available the funding for the additional clean-up costs associated with the 500 ppm standard and, unless some other resolution is reached, the funding promised for the project is jeopardized. In this event, there is no immediate expectation that 16th Street will be constructed.

Further Affiant sayeth not.

  
William Baudendistel, P.E.  
Juneau & Associates  
2100 State Street  
Granite City, IL 62040

SUBSCRIBED AND SWORN to me, a Notary Public, on this 4  
day of June, 1996.

  
NOTARY PUBLIC

21850

"OFFICIAL SEAL"  
DIANE SIGNALL  
NOTARY PUBLIC - STATE OF ILLINOIS  
COMMISSION EXPIRES APR 23, 1997